

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

ENER1, INC. SECURITIES LITIGATION

This paper applies to: ALL CASES

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: Master Docket No.: 11-cv-05794 (PAC)

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: ECF Case

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**PLAINTIFFS' UNOPPOSED MOTION FOR (I) PRELIMINARY APPROVAL OF
PROPOSED SETTLEMENT, (II) CERTIFICATION OF THE SETTLEMENT CLASS
FOR PURPOSES OF THE SETTLEMENT AND (III) APPROVAL
OF NOTICE TO THE SETTLEMENT CLASS**

PLEASE TAKE NOTICE that upon the accompanying Declaration of William B. Federman, dated January 14, 2013, the exhibits attached thereto, the accompanying Memorandum of Law and all prior pleadings and proceedings had herein, Lead Plaintiffs Junie L. Morris and Lisa G. Morris ("Plaintiffs") hereby move this Court, at the United States District Court for the Southern District of New York, before the Honorable Paul A. Crotty, located at 500 Pearl Street, New York, New York 10007, for an Order: (1) granting preliminary approval of the proposed Settlement; (2) conditionally certifying a class for purposes of settlement (the "Settlement Class"); (3) appointing Lead Counsel as Lead Class Counsel; (4) approving the Parties' proposed form and method of giving notice of the pendency of this action and the Settlement to the Settlement Class; (5) directing that notice be given to the Settlement Class members; and (6) scheduling a hearing¹ at which time the Court will consider (a) the parties' request for final approval of the Settlement Class, the Settlement, the Plan of Allocation and entry of the Final Judgment and Order of Dismissal With Prejudice and (b) Lead Class Counsel's

¹ In keeping with the Class Action Fairness Act, 28 U.S.C. § 1715, Plaintiffs request that the Settlement Hearing be held no earlier than April 24, 2013, which is 100 calendar days after the filing of the Stipulation and Agreement of Settlement.

application for an incentive award to Plaintiffs and an award of attorneys' fees and reimbursement of expenses; and (7) granting such other and further relief as the Court deems just and proper.

Defendants do not oppose this motion.

Dated: January 14, 2013

Respectfully submitted,

s/William B. Federman

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Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

This is to certify that on January 14, 2013, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

s/William B. Federman